

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SCOTT EASOM, ADRIAN)
HOWARD, and JOHN NAU, on)
behalf of themselves and)
on behalf of all others)
similarly situated,)
Plaintiffs,)
)
vs.) CASE NO. 4:20-CV-02995
)
US WELL SERVICES, LLC,)
DEFENDANT.)

ORAL DEPOSITION

DEAN FULLERTON

January 6, 2023

ORAL DEPOSITION OF DEAN FULLERTON, produced as
a witness at the instance of the Plaintiff and duly
sworn, was taken in the above-styled and numbered
cause on the 6th day of January, 2023, from
10:05 a.m. to 1:54 p.m., before Laurie Carlisle,
Certified Shorthand Reporter in and for the State of
Texas, reported by computerized machine shorthand at
the offices of McDonald Worley, P.C., 1770 St. James
Place, Suite 100, Houston, Texas 77056, pursuant to
the Federal Rules of Civil Procedure and the
provisions stated on the record or attached hereto.

1 A. Yes.
 2 Q. Was he responsible for the hiring of
 3 employees?
 4 A. No.
 5 Q. How did the recruitment process work?
 6 A. What process?
 7 Q. Like would he find -- would he like
 8 recruit people and they'd be interviewed by him, or
 9 would they be interviewed by someone else? Or was
 10 there even an interview?
 11 A. He would interview over the phone or on
 12 Zoom, and then he would refer the candidate to the
 13 local site and the local site would do its own
 14 hiring.
 15 Q. And who determined compensation for each
 16 employee?
 17 A. We had a set pay scale for employees.
 18 Q. Across the country?
 19 A. Across the company.
 20 Q. And who set that pay scale?
 21 A. That scale was set by human resources.
 22 Q. That's yourself?
 23 A. Yes, myself and my team.
 24 Q. Okay. And did the pay scale take into
 25 account location?

1 A. In difficult hiring areas at times, yes.
 2 Q. Was it common, or was it rare?
 3 A. It was common in certain locations.
 4 Q. What locations?
 5 A. It would be common in West Texas, as an
 6 example. More difficult to hire. Each site made
 7 its own decisions, however, in hiring.
 8 Q. On hiring, correct?
 9 A. Correct.
 10 Q. So Mr. Lorenz would do a phone interview,
 11 determine whether or not this person should go to
 12 the next phase of the recruitment process, and refer
 13 that person to the local area that the person --
 14 A. Local site manager.
 15 Q. Local site.
 16 Let's talk about -- just so we have
 17 the same understanding, what were the local sites in
 18 March -- February and March of 2020?
 19 A. Jane Lew, West Virginia; Uhrichsville,
 20 Ohio; Williamsport, Pennsylvania; Houston, Texas;
 21 Pleasanton, Texas; Bryan, Texas; San Angelo, Texas.
 22 To the best of my recollection, those
 23 sites were all in existence in March 2020.
 24 Q. And Utah, what did that fall under?
 25 A. Utah was not in existence at the time.

1 Q. When did Utah become in existence?
 2 A. I believe sometime in 2021.
 3 Q. Do you know whether or not -- if you had
 4 people working in Utah in 2020, where would they
 5 be -- what office or what location would they be
 6 working out of?
 7 MR. KORN: You mean if you had people
 8 working in the state of Utah?
 9 MR. ASSAAD: Yes.
 10 MR. KORN: What office would they work
 11 out of?
 12 MR. ASSAAD: What location, yes.
 13 A. I don't believe any employees were working
 14 in Utah at that time.
 15 Q. Okay. So Utah didn't have a local site in
 16 March -- February or March of 2020. Okay.
 17 Now, I noticed that there's -- if you
 18 call places in the documents a district or a
 19 satellite, what's the difference?
 20 A. Really depends on the size of the --
 21 number of employees that are at that location at the
 22 time. And it sometimes gets smaller, sometimes gets
 23 larger based upon where our fleets are located.
 24 Q. Are they treated -- from a managerial
 25 standpoint, are they treated differently, or are

1 they part of each other? I understand that Byron is
 2 like a satellite now of --
 3 A. Bryan.
 4 Q. Bryan is a satellite of Pleasanton,
 5 correct? At one point?
 6 A. At one point it was.
 7 Q. What's the relationship there? How does
 8 that work?
 9 A. Bryan was previously a district. When it
 10 got smaller and the district manager transferred,
 11 they put Bryan under another district manager for a
 12 period of time.
 13 Q. Okay. And would it be the district
 14 manager that controls the day-to-day operations of
 15 his district?
 16 A. Yes.
 17 Q. And a regional manager would report to the
 18 district manager, correct?
 19 A. No.
 20 Q. No?
 21 A. The regional manager would have district
 22 managers reporting to them.
 23 Q. Okay, I'm sorry. I think I'm a little bit
 24 confused, so let me just clarify something in my
 25 mind.

1 Q. Did Sarah Sopko handle any other HR duties
2 for Pennsylvania and Ohio?

3 A. She oversaw general other HR
4 responsibilities for those locations because both of
5 them at the time were quite small.

6 Q. And you mentioned before that no one
7 reported to these five individuals that we
8 discussed, but now you're saying that Precious Culp
9 reported to Sarah Sopko?

10 MR. KORN: Objection, I don't think he
11 specified a time. I'm going to object to form.

12 Q. Let's go back. In March of 2020 did
13 any -- February and March of 2020, did anyone report
14 to the five individuals, Ms. Wiggins, Rohmfeld,
15 Sopko, Lorenz or Creed?

16 MR. KORN: Object to the form.

17 A. I don't recall. To the best of my
18 recollection, Precious Culp reported to Sarah Sopko.

19 Q. Was there a district HR manager for the
20 Jane Lew office?

21 A. There was no district HR manager.

22 Q. Across the company?

23 A. No. They had a different title.

24 Q. With respect to Sarah Sopko, she was a
25 regional HR manager that would cover basically the

1 Q. During the terminations in March or April
2 of 2020, did any of the employees complain that they
3 weren't provided any WARN Act notice?

4 A. Not that I can recall.

5 Q. With respect to the terminations that
6 occurred in March and April of 2020, was Sarah Sopko
7 involved with respect to who was going to be
8 terminated?

9 MR. KORN: Object to the form.

10 A. Decisions on who would be terminated were
11 made by operations in each location.

12 Q. So with respect to -- well, you were
13 involved with respect to the terminations in March
14 and April of 2020, correct?

15 A. I did not choose who was terminated.

16 Q. I understand, but you were involved in the
17 process?

18 MR. KORN: Object to the form. It's
19 vague.

20 A. Yes.

21 Q. What was your involvement?

22 A. Involvement was assisting operations and
23 other departments in consolidating lists of
24 employees to be laid off and working with the HR
25 team to provide notifications and timing.

1 northeast?

2 MR. KORN: Object to form.

3 A. Yes.

4 Q. And the northeast would consist of Ohio,
5 Pennsylvania and Jane Lew?

6 A. Yes.

7 Q. And she handled the day-to-day operations
8 for HR in those areas?

9 A. In all areas but Jane Lew. We had
10 Precious Culp in Jane Lew.

11 Q. They handled the day-to-day with respect
12 to payroll?

13 A. Yes.

14 Q. What about other HR duties?

15 A. Yes, she had other HR duties besides
16 payroll.

17 Q. Okay. What are the day-to-day HR duties
18 that Sarah Sopko did in Ohio and Pennsylvania and
19 Precious Culp did in Jane Lew?

20 MR. KORN: Object to form. It's
21 compound.

22 A. Sarah supervised Precious Culp. Other
23 duties that existed in the field included managing,
24 hiring, terminations, employee relations and
25 interpretation of HR or payroll policies.

1 Q. What do you mean by timing?

2 A. Getting a notification into the hands of
3 employees in a timely fashion.

4 Q. When you say "in a timely fashion," what's
5 a timely fashion?

6 MR. KORN: Object to the form.

7 A. At time of termination.

8 Q. At time of termination?

9 A. Yes.

10 Q. So with respect to the layoffs in March
11 and April, would it be accurate to state that the
12 employees learned of the termination at the time
13 they were terminated?

14 MR. KORN: Object to the form of the
15 question.

16 A. I can't make that -- I can't answer that.
17 That's a general statement. I can't answer that.

18 Q. Were any employees advised of their
19 terminations prior to their termination?

20 A. Yes.

21 Q. Which employees?

22 A. I don't know which ones. I couldn't
23 possibly recall which employees.

24 Q. How were they notified?

25 A. At the time there was a great deal of